

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

FREE THE NIPPLE – SPRINGFIELD)	
RESIDENTS PROMOTING EQUALITY,)	
JESSICA LAWSON, and AMBER)	
HUTCHISON,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 6:15-CV-3467-BP
)	
CITY OF SPRINGFIELD, MISSOURI,)	
)	
Defendant.)	

Plaintiffs’ Motion for Summary Judgment

Come now Plaintiffs, pursuant to Federal Rule of Civil Procedure 56(a), and move for summary judgment on the claims in their Second Amended Complaint, ECF No. 37.

For the reasons discussed in the accompanying suggestions in support of this motion, based on the uncontroverted material facts, Plaintiffs are entitled to: (a) summary judgment that the City of Springfield’s September 2015 indecent-exposure ordinance violated (1) the Free Speech Clause of the First Amendment, (2) the Due Process, and (3) Equal Protection Clauses of the Fourteenth Amendment, (b) nominal damages of \$1.00 and actual damages of \$364.12 and declaratory judgment with respect to the September 2015 ordinance, (c) summary judgment that the March 2016 ordinance violates the Equal Protection Clause, and (d) prospective relief in the form of declaratory judgment and a permanent injunction preventing future enforcement of the portion of the March 2016 ordinance that applies to women and girls only.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

Certificate of Service

I certify that a copy of the forgoing was filed electronically on May 4, 2017, and made available to counsel of record.

/s/ Anthony E. Rothert